

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

Nishant P. Sheth,

Defendant.

Order

21 Mag. 6626

Upon the application of Daniel J. Ollen, Esq., attorney of record for defendant Nishant P. Sheth, without objection by the United States of America, and good cause having been demonstrated, it is hereby

ORDERED that, consistent with 18 U.S.C. § 4241(b), an evaluation of the defendant be conducted at the Metropolitan Correctional Center, or other federal institution as the Federal Bureau of Prisons (“BOP”) deems appropriate, for a determination of whether he is suffering from any mental disease or defect that renders him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense, and that a report of such examination be provided to the Court; and

In light of the time that would elapse before a BOP psychiatrist is available to administer the examination, the examination should be conducted by the defense’s privately retained forensic psychiatrist Dr. N.G. Berrill, without prejudice to the United States’ ability to seek a BOP-administered competency evaluation at a future date.

SO ORDERED:

Dated: New York, New York
August 30, 2021



THE HONORABLE DEBRA C. FREEMAN
UNITED STATES MAGISTRATE JUDGE